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**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW JERSEY**

IN RE DUCTILE IRON PIPE
FITTINGS ("DIPF") DIRECT
PURCHASER ANTITRUST
LITIGATION

Civil Action No.: 12-711 (AET)(LHG)

**NOTICE OF MOTION IN SUPPORT OF DIRECT PURCHASER
PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF
SETTLEMENT WITH DEFENDANT MCWANE, INC. AND ITS
DIVISIONS CLOW WATER SYSTEMS CO., TYLER PIPE COMPANY,
AND TYLER UNION**

TO: COUNSEL OF RECORD

PLEASE TAKE NOTICE that on January 2, 2018, at 10:00 a.m. or as soon thereafter as counsel may be heard, the undersigned attorneys for the Direct Purchaser Plaintiffs in the above-captioned action shall move before the Hon. Anne E. Thompson, U.S.D.J., Clarkson S. Fisher Building, & U.S. Courthouse, 402 East State Street, Trenton, New Jersey 08608, for the entry of a Preliminary Approval Order:

1. Preliminarily approving the Settlement Agreement between Direct Purchaser Plaintiffs and McWane, Inc. and its Divisions Clow Water Systems Co., Tyler Pipe Company, and Tyler Union (collectively, “McWane”) and finding that its terms are sufficiently fair, reasonable, and adequate for notice to be issued to the Settlement Classes as defined in the Settlement Agreement;
2. Certifying the Settlement Classes, for purposes of settlement only pursuant to Federal Rule of Civil Procedure 23(c), and authorizing plaintiffs to represent the Settlement Classes;
3. Approving Garden City Group, LLC as Administrator of the Settlement, and Citibank, N.A. as escrow agent;
4. Directing settlement class counsel to disseminate notice to the Settlement Classes;
5. Setting a deadline for class members to exclude themselves from the settlement;
6. Setting deadlines for class members to serve and file any objections to the settlement and plaintiffs’ request for litigation fees and expenses;
7. Scheduling a Fairness Hearing to (i) determine the fairness, reasonableness, and adequacy of the McWane settlement; and (ii)

consider plaintiffs' request for attorneys' fees, expenses, and incentive awards; and

8. Granting such other and further relief as may be appropriate.

In support of this motion, Direct Purchaser Plaintiffs rely upon the Memorandum of Law in Support of Direct Purchaser Plaintiffs' Motion for Preliminary Approval of Settlement with McWane, as well as the accompanying Declaration of Robert N. Kaplan.

Direct Purchaser Plaintiffs submit a proposed form of Order.

DATED: December 4, 2017

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